

Introduced by Senator Oropeza

February 16, 2010

An act to add Section 42920.5 to the Public Resources Code, relating to electronic waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 1052, as introduced, Oropeza. Electronic waste: state agencies.

(1) Existing law requires each state agency, as defined, to develop and adopt, in consultation with the Department of Resources Recycling and Recovery, an integrated waste management plan, to provide for the diversion at least 50% of the solid waste generated by the state agency from landfill disposal or transformation. Existing law requires the Department of Toxic Substances Control to adopt regulations that identify electronic devices that are presumed to be, when discarded, a hazardous waste subject to the hazardous waste control laws.

This bill would require the Department of Toxic Substances Control, the Department of Resources Recycling and Recovery, and the Department of General Services to jointly collaborate to identify the methods that state agencies are required to adopt to properly handle and dispose of electronic waste, as defined, and would require each state agency to adopt an electronic waste management plan. The bill would require the plan to be submitted to the Department of Toxic Substances Control, by January 1, 2012, for review and approval, and would require each state agency to submit an annual report to the Department of Toxic Substances Control regarding the implementation of the plan.

The bill would authorize the Department of Toxic Substances Control to require the plan to be revised and to take enforcement action pursuant to the hazardous waste control laws, if a state agency manages or

disposes of electronic waste in violation of the hazardous waste control law.

Since existing law defines state agency, for purposes of waste management, as including community college districts, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42920.5 is added to the Public Resources
2 Code, to read:

3 42920.5. (a) For purposes of this section “electronic waste”
4 means a covered electronic device, as defined in subdivision (f)
5 of Section 42463.

6 (b) The Department of Toxic Substances Control, the
7 Department of Resources Recycling and Recovery, and the
8 Department of General Services shall jointly collaborate to identify
9 the methods that state agencies shall adopt to properly handle,
10 recycle, and dispose of electronic waste and to assist state agencies
11 in implementing this section.

12 (c) In addition to the integrated waste management plan adopted
13 pursuant to Section 42920, each state agency shall adopt an
14 electronic waste management plan, in accordance with the methods
15 identified pursuant to subdivision (b), to accurately track the
16 amount of electronic waste that is generated, handled, recycled,
17 and disposed of by the state agency.

18 (d) The electronic waste management plan adopted pursuant to
19 subdivision (c) shall be submitted to the Department of Toxic
20 Substances Control, on or before January 1, 2012, for review and
21 approval.

22 (e) On or before January 1, 2013, and annually thereafter, each
23 state agency shall submit a report to the Department of Toxic

1 Substances Control regarding the implementation of the electronic
2 waste management plan adopted pursuant to this section.

3 (f) The Department of Toxic Substances Control may require
4 the electronic waste management plan adopted pursuant to
5 subdivision (c) to be revised, based on the information in the annual
6 report submitted pursuant to subdivision (e), and may take
7 enforcement action pursuant to Chapter 6.5 (commencing with
8 Section 25100) of the Health and Safety Code, if a state agency
9 manages or disposes of electronic waste in violation of that chapter.

10 SEC. 2. If the Commission on State Mandates determines that
11 this act contains costs mandated by the state, reimbursement to
12 local agencies and school districts for those costs shall be made
13 pursuant to Part 7 (commencing with Section 17500) of Division
14 4 of Title 2 of the Government Code.